

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4752 OF 2024

Ravindra V. Pawar ...Applicant
V/s.
State of Maharashtra ...Respondent.

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Mr. Aabad Ponda, Sr. Advocate a/w. Mr. Shailesh Kharat, Mr. Vipul Dushing and Mr. Tanmay Kate for the Applicant.
Mr. T.G. Khan, APP for the Respondent/State.
PSI Mr. Rahul Pawar, attached to Crime Branch, present.

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CORAM : N.R. BORKAR, J.
DATE : 30.01.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.2 of 2024 registered at Kothrud Police Station, Pune city for the offences punishable under Sections 120-B, 302, 307, 201, 202 read with 34 of the Indian Penal Code and Section 3 read with 25 of the Arms Act and Section 37(1)(3) read with 135 of the Maharashtra Police Act and Sections 3(1)(i), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act (for short "MCOC Act").
3. The deceased was gangster. According to the prosecution there was a rivalry between the gang of the deceased and the gang led by co-accused Ganesh Marne and Vitthal Shelar. It is alleged that due to said rivalry, the said Ganesh Marne and Vitthal Shelar along with their other members of organised crime

syndicate on 5.1.2024 committed the murder of the deceased. According to the prosecution, the assailants were in contact of co-accused Sanjay Udan, who is an Advocate by profession. It is alleged that after the alleged incident said co-accused Sanjay Udan contacted the present applicant, who is also Advocate by profession. The present applicant and the said co-accused Sanjay Udan were apprehended when they were with the alleged assailants. According to the prosecution, the present applicant and co-accused Sanjay Udan were helping the assailants to escape to safe place.

4. I have heard the learned senior counsel for the applicant and the learned APP for the respondent – State.

5. The learned senior counsel for the applicant submits that there is no material to show that prior to the incident the applicant was in contact of any of the co-accused. It is submitted that the applicant is in jail for more than one year and there are no other criminal antecedents. It is submitted that the applicant is not likely to abscond. It is submitted that the applicant is ready to stay away from Pune District.

6. On the other hand, the learned APP submits that the applicant was in the contact with the co-accused and there is a material to that effect in the form of CDR. It is therefore, submitted that considering the nature of crime the applicant may not be released on bail.

7. I have perused the charge-sheet. There is no material to show that prior to the incident the applicant was in contact of other co-accused. It is not disputed that the applicant is practising Advocate. It appears that he was called at the place, where they were apprehended, by co-accused Sanjay Udan. Considering these facts and circumstances, I am inclined to release the applicant on bail on certain conditions. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 2 of 2024 registered at Kothrud Police Station, Pune city for the offences punishable under Sections 120-B, 302, 307, 201, 202 read with 34 of the Indian Penal Code and Section 3 read with 25 of the Arms Act and Section 37(1)(3) read with 135 of the Maharashtra Police Act and Sections 3(1)(i), 3(2) and 3(4) of the MCOC Act on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

C] The applicant shall not enter into the limits of Pune District except to attend the dates before the trial Court till conclusion of the trial.

[N.R.BORKAR, J.]